



# UNITED STATES PATENT AND TRADEMARK OFFICE

UNITED STATES DEPARTMENT OF COMMERCE  
United States Patent and Trademark Office  
Address: COMMISSIONER FOR PATENTS  
P.O. Box 1450  
Alexandria, Virginia 22313-1450  
www.uspto.gov

APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/776,500	02/12/2004	Per-Ake Minborg	2002-544	3666

7590 10/11/2007  
David E. Bennett  
Coats & Bennett, P.L.L.C.  
1400 Crescent Green, Suite 300  
Cary, NC 27518

EXAMINER
----------

HASHEM, LISA

ART UNIT	PAPER NUMBER
----------	--------------

2614

MAIL DATE	DELIVERY MODE
-----------	---------------

10/11/2007

PAPER

**Please find below and/or attached an Office communication concerning this application or proceeding.**

The time period for reply, if any, is set in the attached communication.

## Office Action Summary

Application No.

10/776,500

Applicant(s)

MINBORG ET AL.

Examiner

Lisa Hashem

Art Unit

2614

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

### Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

### Status

- 1) ☒ Responsive to communication(s) filed on 12 February 2004.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

### Disposition of Claims

- 4) ☒ Claim(s) 1-10 is/are pending in the application.
- 4a) Of the above claim(s) \_\_\_\_\_ is/are withdrawn from consideration.
- 5) ☐ Claim(s) \_\_\_\_\_ is/are allowed.
- 6) ☒ Claim(s) 1-10 is/are rejected.
- 7) ☐ Claim(s) \_\_\_\_\_ is/are objected to.
- 8) ☐ Claim(s) \_\_\_\_\_ are subject to restriction and/or election requirement.

### Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☒ The drawing(s) filed on 12 February 2004 is/are: a) ☒ accepted or b) ☐ objected to by the Examiner.  
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).  
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

### Priority under 35 U.S.C. § 119

- 12) ☒ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☒ All b) ☐ Some \* c) ☐ None of:
1. ☒ Certified copies of the priority documents have been received.
  2. ☐ Certified copies of the priority documents have been received in Application No. \_\_\_\_\_.
  3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

\* See the attached detailed Office action for a list of the certified copies not received.

### Attachment(s)

- |   |   |
|---|---|
| 1) <input checked="" type="checkbox"/> Notice of References Cited (PTO-892)   | 4) <input type="checkbox"/> Interview Summary (PTO-413)<br>Paper No(s)/Mail Date. _____ |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948)                                  | 5) <input type="checkbox"/> Notice of Informal Patent Application                       |
| 3) <input checked="" type="checkbox"/> Information Disclosure Statement(s) (PTO/SB/08)<br>Paper No(s)/Mail Date _____ | 6) <input type="checkbox"/> Other: _____  |

## DETAILED ACTION

### *Claim Objections*

1. Claims 7 and 8 objected to under 37 CFR 1.75(c) as being in improper form because a multiple dependent claim cannot depend on any other multiple dependent claim. See MPEP § 608.01(n). Accordingly, claims 7 and 8 have not been further treated on the merits.

### *Claim Rejections - 35 USC § 102*

2. The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(e) the invention was described in (1) an application for patent, published under section 122(b), by another filed in the United States before the invention by the applicant for patent or (2) a patent granted on an application for patent by another filed in the United States before the invention by the applicant for patent, except that an international application filed under the treaty defined in section 351(a) shall have the effects for purposes of this subsection of an application filed in the United States only if the international application designated the United States and was published under Article 21(2) of such treaty in the English language.

3. Claims 1-6, 9, and 10 are rejected under 35 U.S.C. 102(e) as being anticipated by U.S. Pat. No. 6,977,909 by Minborg.

Regarding claim 1, Minborg discloses a method of providing data objects to user communication applications or terminals of subscribers in connection with subscribers establishing communication events with other subscribers, in a network (Fig. 1; col. 2, lines 54-67) comprising both subscribers with autonomous type user communication applications or terminals (col. 5, line 28 – col. 6, line 27) that comprise functionality for client based retrieval of data objects and also subscribers with network type user communication applications or terminals that rely on functionality in the network to provide for retrieval of data objects, characterized in that the method comprises the following steps:

Art Unit: 2614

- associating a type of user communication application or terminal with at least one subscriber of the network;
- determining an occurrence of a triggering event indicating a communication event between two subscribers;
- upon determination of a triggering event, the network providing data object retrieval only to the subscribers with network type user communication applications or terminals (col. 6, line 28 – col. 7, line 30).

Regarding claim 2, see Minborg: col. 8, line 47 – col. 9, line 16.

Regarding claim 3, see Minborg: col. 9, lines 17-41.

Regarding claim 4, see Minborg: col. 9, lines 17-41.

Regarding claim 5, see Minborg: col. 6, lines 11-19; col. 9, lines 17-47.

Regarding claim 6, see Minborg: col. 6, lines 11-19; col. 9, lines 17-47.

Regarding claim 9, Minborg discloses a filtering server (Fig. 1, 130) of a communication network (Fig. 1; col. 2, lines 54-67) arranged to provide data objects to user communication applications or terminals of subscribers in connection with subscribers establishing communication events with other subscribers (col. 5, line 28 – col. 6, line 27), the communication network comprising both subscribers with autonomous type user communication applications or terminals that comprise functionality for client based retrieval of data objects and also subscribers with network type user communication applications or terminals that rely on functionality in the network to provide for retrieval of data objects,

Art Unit: 2614

characterized in that the filtering server is arranged

to:

- associating a type of user communication application or terminal with at least one subscriber of the network;
- determining an occurrence of a triggering event indicating a communication event between two subscribers;
- upon determination of a triggering event, the network providing data object retrieval only to the subscribers with network type user communication applications or terminals (col. 6, line 28 – col. 7, line 30).

Regarding claim 10, Minborg discloses a filtering server (Fig. 1, 130) of a telecommunications network to provide data object retrieval to one or more subscribers of the telecommunications network (Fig. 1; col. 2, lines 54-67), characterized in that the filtering server is:

- arranged to intercept call set-up control for bearer channels between a caller and a callee;
- arranged to determine a caller and a caller profile;
- arranged to arrange for a callee data object to be made available to caller if the caller profile indicates filtering server retrieval of the callee data object;
- arranged to allow the caller to arrange for retrieval of the callee data object if the caller profile indicates caller retrieval of callee data object;
- arranged to determine the callee and if the callee is a subscriber of the telecommunications network;

Art Unit: 2614

- arranged to determine a callee profile if the callee is a subscriber of the telecommunications network;
- arranged to arrange for a caller data object to be made available to the callee if the callee is a subscriber of the telecommunications network and if the caller profile indicates filtering server retrieval of caller data object;
- arranged to allow the callee to arrange for retrieval of the caller data object if the callee is a subscriber of the telecommunications network and if the callee profile indicates callee retrieval of caller data object (col. 2, lines 54-67; col. 5, line 55 – col. 7, line 30; ; col. 8, lines 1-46; col. 9, line 17 – col. 10, line 29).

### ***Conclusion***

4. The prior art made of record and not relied upon is considered pertinent to applicant's disclosure. See PTO-892 Form.
5. Any response to this action should be mailed to:

Commissioner for Patents  
P.O. Box 1450  
Alexandria, VA 22313-1450

**Or faxed to:**

(571) 273-8300 (for formal communications intended for entry)

**Or call:**

(571) 272-2600 (for customer service assistance)


Any inquiry concerning this communication or earlier communications from the examiner should be directed to Lisa Hashem whose telephone number is (571) 272-7542. The examiner can normally be reached on M-F 8:30-5:30.

Art Unit: 2614

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Fan Tsang can be reached on (571) 272-7547. Any inquiry of a general nature or relating to the status of this application or proceeding should be directed to the Group receptionist whose telephone number is (571) 272-2600.

6. Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

lh  
October 9, 2007

  
AHMAD F. MATAR  
SUPERVISORY PATENT EXAMINER  
TECHNOLOGY CENTER 2700